

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

WILLIAM T. MOCK, *et al.*,

*Plaintiffs,*

v.

Civil Action No. 4:23-cv-95-O

MERRICK GARLAND, *et al.*,

*Defendants.*

**DEFENDANTS' UNOPPOSED MOTION  
FOR AN EXTENSION OF TIME TO LODGE THE ADMINISTRATIVE RECORD**

Defendants respectfully move for a two-day extension of time to lodge the administrative record, for which the current deadline is May 19, 2023. *See* ECF No. 52. Defendants have conferred with Plaintiffs, and Plaintiffs do not oppose this request.

Plaintiffs commenced this action on January 31, 2023, challenging a rule promulgated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), *Factoring Criteria for Firearms With Attached “Stabilizing Braces,”* 88 Fed. Reg. 6,478 (Jan. 31, 2023). ECF No. 1. On April 28, 2023, the parties submitted a joint scheduling report, in which they proposed a schedule for, among other things, lodging the certified administrative record and briefing cross-motions for summary judgment. *See* ECF No. 51. Soon thereafter, the Court issued a Scheduling Order, under which Defendants are obligated to lodge the administrative record no later than May 19, 2023. *See* ECF No. 52.

Prior to the issuance of this Court’s scheduling order, Defendants began diligently compiling the administrative record, which comprises over 40,000 pages of materials. But despite their best efforts, Defendants will need two additional business days—up to and including May 23, 2023—to finish compiling the administrative record and to provide electronic copies of it to Plaintiffs and the

Court on physical storage media in the form of a thumb drive. Defendants submit that extending the deadline to lodge the administrative record by two business days will not affect any other deadlines imposed under the Court's scheduling order.

Defendants appreciate the Court's consideration and respectfully request entry of their proposed order.

Dated: May 19, 2023

Respectfully submitted,

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN  
Assistant Branch Director

/s/ Jody D. Lowenstein  
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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 19, 2023, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

*/s/ Jody D. Lowenstein*  
JODY D. LOWENSTEIN  
Trial Attorney  
U.S. Department of Justice